

To: Jones, Joel E.[Jones.Joel@epa.gov]
From: Steve Brittle
Sent: Thur 12/1/2016 6:51:56 PM
Subject: Fw: [WARNING : MESSAGE ENCRYPTED] RE: Request Pursuant to ARS 39-121 to Review and/or Copy Public Records/transcript of the Hickman's Permit Appeal Hearing of November 7, 2016
[ADAQ11716_BUNDLE.pdf](#)
[image013.png](#)
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[image005.png](#)
[image007.png](#)
[image008.png](#)

Attached is the transcript of a permit appeal hearing regarding Hickman's Tonopah facility. Richard Bremner, manager of permitting for the MCAQD, starts his testimony on pp62. The discussion of why he thinks the Tonopah facility didn't require a Title V permit starts on pp67. He/MCAQD decided that the emissions from the barns are "fugitive emissions" and not from a point source. His testimony regarding NSR is on pages 78-79.

The cross examination by the appellant, Daniel Blackson, starts on pp 85. On pp 87, the testimony about using the state statute, ARS 49-457 (o) starts. The questions revolve around how the state statute clearly demarks a "regulated area" that the law would apply to, and on pp 89, Bremner admits Tonopah is not in the "regulated area." (Bremner stated in his testimony that guidance from ADEQ was relied on to extend the state statute to Tonopah.)

On pp98, Bremner admits EPA determined that the openings in a barn are vents in the Buckeye Farms consent decree.

----- Forwarded Message -----

From: Rachel Danley - AQDX <RachelDanley@mail.maricopa.gov>
To: 'Steve Brittle' <smbrITTLE@yahoo.com>
Sent: Thursday, December 1, 2016, 8:50:20 AM MST
Subject: [WARNING : MESSAGE ENCRYPTED] RE: Request Pursuant to ARS 39-121 to Review and/or Copy Public Records/transcript of the Hickman's Permit Appeal Hearing of November 7, 2016

Good Morning,

Attached you will find the hearing transcript. Do you need anything else for this request?

The Air Quality Department strives to provide excellent customer service to residents of Maricopa County.

How are we doing? [Send us your feedback.](#)

Thank you,

Rachel Danley

Records Program Coordinator

Maricopa County Air Quality Department

1001 North Central Avenue, Suite 125

Phoenix, Arizona 85004

Located at the Central Ave. & Roosevelt METRO stop

602-506-6201

CleanAirMakeMore.com



From: Steve Brittle [mailto:smbrittle@yahoo.com]

Sent: Thursday, November 10, 2016 1:53 PM

To: Rachel Danley - AQDX <RachelDanley@mail.maricopa.gov>

Subject: Re: Request Pursuant to ARS 39-121 to Review and/or Copy Public Records/transcript of the Hickman's Permit Appeal Hearing of November 7, 2016

thanks

On Thursday, November 10, 2016 12:49 PM, Rachel Danley - AQDX wrote:

Good Morning,

We have not received the transcript from the court reporter, but will be happy to fill this request when we receive it. The hearing is scheduled to continue, for deliberation, on November 17, 2016. The hearing coordinator, Jacqueline Robinson, will be sending out the notice for the meeting continuation.

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How are we doing? [Send us your feedback.](#)

Thank you,

Rachel Danley

Records Program Coordinator

Maricopa County Air Quality Department

1001 North Central Avenue, Suite 125

Phoenix, Arizona 85004

Located at the Central Ave. & Roosevelt METRO stop

602-506-6201

CleanAirMakeMore.com



From: Steve Brittle [<mailto:smbrittle@yahoo.com>]

Sent: Wednesday, November 09, 2016 1:16 PM

To: Records Request

Subject: Request Pursuant to ARS 39-121 to Review and/or Copy Public Records/transcript of the Hickman's Permit Appeal Hearing of November 7, 2016

Via Email to requestrecords@mail.maricopa.gov

November 9, 2016

To: Custodian of Records

Maricopa County Air Quality Department

1001 North Central Avenue

Phoenix, AZ

From: Steve Brittle

Don't Waste Arizona, Inc.

2934 West Northview Avenue

Phoenix, AZ 85051

dwaz@fastq.com

Re: Request Pursuant to ARS 39-121 to Review and/or Copy Public Records/transcript of the Hickman's Permit Appeal Hearing of November 7, 2016

Pursuant to ARS 39-121 *et seq*, DWAZ requests to review and/or copy the transcript of the November 7, 2016, permit appeal hearing of the Hickman's Tonopah facility.

This is a non-commercial request.

Please honor this written request within a reasonable time. Contact DWAZ at dwaz@fastq.com or to confirm that the **complete requested file** is prepared and ready for review.

Failure to provide these public records within a reasonable time will result in appropriate legal action to gain access to these public records